

## Article - Health Occupations

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§5-311.

Subject to the hearing provisions of § 5-312 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- (2) Fraudulently or deceptively uses a license;
- (3) Violates any provision of this title or any regulations adopted under this title;
- (4) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional service for which the licensee is licensed and qualified to render because the individual is HIV positive;
- (5) Commits fraud or deceit in the practice of dietetics;
- (6) Is convicted of or pleads nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
- (7) Obtains or attempts to obtain a fee through fraud or misrepresentation;
- (8) Employs any person to practice dietetics whose license or certificate to practice a health occupation under this article has been suspended;
- (9) Uses or promotes or causes the use of any misleading, deceiving, or untruthful advertising matter, or promotional literature, testimonial, guarantee, warranty, label, brand, insignia, or other representation;
- (10) Commits any act of unprofessional conduct, as defined by the rules and regulations of the Board, or violates the code of ethics adopted by the Board;
- (11) Provides professional services while:

- (i) Under the influence of alcohol; or
- (ii) Using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication;
- (12) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any other state or country for an act that would be grounds for disciplinary action under this section;
- (13) Practices dietetics with an unauthorized person or supervises or aids an unauthorized person in the practice of dietetics;
- (14) Fails to file or record any report or record as required by law in the practice of dietetics, impedes or obstructs the filing or recording of the report or record, or induces another to fail to file or record the report or record;
- (15) Submits a false statement to collect a fee;
- (16) Is professionally, physically, or mentally incompetent;
- (17) Promotes the sale of devices, appliances, or goods to a patient so as to exploit the patient for financial gain; or
- (18) Fails to cooperate with a lawful investigation conducted by the Board.

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